



CITY OF BEAVERTON
Community and Economic Development
Department
Planning Division
4755 SW Griffith Drive
PO Box 4755
Beaverton, OR 97076
Tel: (503) 526-2420
Fax: (503) 526-3720

PUBLIC HEARING NOTICE

Hearing Date: August 13, 2013

Hearing Body: City Council

Project Name:	Waterhouse Commons Conditional Use Appeal
Case File No.:	APP2013-0002
Summary of Application:	<p>This is an appeal of the Planning Commission's decision to approve CU2013-0002, a Conditional Use allowing extended hours of operation associated with a new drive-through facility. The appellant is the applicant and property owner. The appeal is specific to a condition of approval (No. 10) which establishes an overall cap of 3,500 daily vehicle trips the property.</p> <p>On June 19, 2013, the City Planning Commission held a public hearing to consider a partial redevelopment proposal for Waterhouse Commons, an existing multi-tenant commercial building on the south side of SW Walker Road, west of SW 158th Avenue, addressed at 16055 SW Regatta Lane. The proposal includes twenty-four (24) hour operation for a new drive-up window addition. In the City Community Service (CS) zone, drive-up window facilities are permitted, but uses operating between the hours of 10:00pm and 7:00am require Conditional Use approval when the property is within 500 feet of an existing residential use in a residential zone.</p>
Project Location:	16055 SW Regatta Lane; Tax Lot 2000 on Washington County Tax Assessor's Map 1S1-05BA
Zoning & NAC:	Community Service (CS) / Five Oaks/Triple Creek NAC
Applicable Development Code Criteria:	Appeal of the Planning Commission's decision is reviewed under Section 50.70 and Sections 50.85 through 50.88 of the Development Code. The Conditional Use approval criteria are identified under Section 40.15.15.3.C of the Development Code. Also, Section 50.95.6 of the Development Code identifies applicable criteria for Modification of a Decision.
Applicable Comprehensive Plan Policies:	Comprehensive Plan Policy 8.4.1.a
Hearing Place and Time:	City Council Chambers, First Floor, Beaverton City Hall, 4755 SW Griffith Drive beginning at 6:30 p.m.
Staff Contact:	Scott Whyte, Senior Planner 503.526.2652 / swhyte@beavertonoregon.gov

A copy of the plans, documents and evidence submitted by or on behalf of the appellant, and applicable criteria are available for review at the Beaverton Development Services Division, 2nd floor, Beaverton City Hall, 4755 SW Griffith Drive, between the hours of 7:30 a.m. to 12:00p.m. and 1:00p.m. to 5:00 p.m., Monday through Friday. A copy of the staff report will be available for inspection at no cost at least seven (7) calendar days before the appeal hearing. A copy of any or all materials will be provided at reasonable cost. A copy of the staff report may also be viewed on-line at: www.beavertonoregon.gov/DevelopmentProjects

The City Council shall conduct the hearing in accordance with adopted rules of procedure and shall make a decision on the development application after the hearing closes. Failure to raise an issue in a hearing, by testifying in person or by letter, or failure to provide statements or evidence with sufficient specificity to afford the decision-making authority an opportunity to respond to such issue, may preclude appeal to the Land Use Board of Appeals on that issue.

Pursuant to Section 50.70.4 of the Development Code, the appeal hearing shall be *de novo*, which means any new evidence and arguments can be introduced in writing, orally or both. A *de novo* hearing does not limit participation to those who participated in the initial hearing process. The Commission minutes and Orders are part of the record. The Council may affirm that decision, modify it or adopt its own decision based on its findings as to the relevant criteria for decision.

THIS INFORMATION IS AVAILABLE IN LARGE PRINT OR AUDIO TAPE UPON REQUEST. IN ADDITION, ASSISTED LISTENING DEVICES, SIGN LANGUAGE INTERPRETERS, OR QUALIFIED BILINGUAL INTERPRETERS WILL BE MADE AVAILABLE AT ANY PUBLIC MEETING OR PROGRAM WITH 72 HOURS ADVANCE NOTICE. TO REQUEST THESE SERVICES, PLEASE CALL 503-526-2222/VOICE/TDD.